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ACACIA MEDIA TECHNOLOGIES CORPORATION

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

In re ACACIA MEDIA TECHNOLOGIES CORPORATION,	Case No.05 CV 01114 JW **DECLARATION OF ALAN P. BLOCK IN SUPPORT OF PLAINTIFF ACACIA MEDIA TECHNOLOGIES CORPORATION'S OPPOSITION TO:** **1. ROUND 3 DEFENDANTS' MOTION FOR SUMMARY JUDGMENT OF INVALIDITY UNDER 35 U.S.C. § 112 OF THE '992, '863, AND '702 PATENTS; AND** **2. SATELLITE DEFENDANTS' MOTION FOR SUMMARY JUDGMENT OF INVALIDITY OF THE '992, '863, AND '720 PATENTS** Date: TBD Time: TBD Ctrm: 8, 4th Floor Judge: Hon. James Ware

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I, Alan P. Block, declare and state as follows:

1. I am an attorney admitted to practice before the Courts of the State of California. I am a partner in the law firm of Hennigan, Bennett & Dorman LLP, counsel of record for plaintiff SpeedTrack, Inc. in this action. I offer this declaration in support of Plaintiff Acacia Media Technologies, Inc.'s Opposition to: (1) Round 3 Defendants' Motion For Summary Judgment Of Invalidity Under 35 U.S.C. § 112 Of The '992, '863, And '702 Patents; And (2) Satellite Defendants' Motion For Summary Judgment Of Invalidity Of The '992, '863, And '720 Patents. Except where specifically noted, I have personal knowledge of the facts set forth in this declaration and could and would testify competently if called as a witness.

2. Attached hereto as Exhibit 1 is a true and correct copy of the Manual of Patent Examining Procedure ("MPEP"), 5th Ed., Rev. 13 (Nov. 1989), § 706, at 700-5 to 700-6.

3. Attached hereto as Exhibit 2 is a true and correct copy of the MPEP, 5th Ed., Rev. 13 (Nov. 1989), § 2106.02, at 2100-5 to 2100-7.

4. Attached hereto as Exhibit 3 is a true and correct copy of the originally-filed claims filed on January 7, 1991 with the patent application that matured into U.S. Patent No. 5,132,992 ('992 patent).

5. Attached hereto as Exhibit 4 is a true and correct copy of a portion of the Declaration of S. Merrill Weiss dated May 18, 2007, at ¶¶ 29-31.

6. Attached hereto as Exhibit 5 is a true and correct copy of a portion of the Declaration of Stephen M. Walters dated July 17, 2007, at ¶ 40.

7. Attached hereto as Exhibit 6 is a true and correct copy of the following letters from defendants' counsel which set forth the issues that defendants' proposed to raise in their Section 112 Motions for Summary Judgment: (1) March 28, 2008 letter from Mr. Benyacar; (2) April 11, 2008 letter from Mr. Benyacar; (3) March 28, 2008 letter from Mr. Kreeger; and (3) April 11, 2008 letter from Mr. Kreeger.

8. Attached hereto as Exhibit 7 is a true and correct copy of the September 30, 1991 amendment filed during prosecution of the ‘992 patent.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 15th day of December, 2008 at Los Angeles, California.

/s/ Alan P. Block
Alan P. Block